

1:21-CV-7118

To the United States District Courts, Southern District,

I, Christian Klein am today , on Wednesday , October 6th, asking for an extension for the submitting of my amended complaint. I at this time am aware of a response to my complaint, which is frivolous and blatantly misleading. The reason I ask for the extension, is a blatant denial of My Freedom of Information request. I submitted it on August 18th, 2021. I received two responses by email, both of which are attached to this letter. They both stated that due to the Covid 19 Pandemic, they would be delayed in producing the arrest report from that day. Without that report, I cannot submit my amended complaint. This is because that John and Jane Does are not identified. I would like to also give context to the court, that I was arrested and charged with 3 crimes. All cases were dismissed. A MTA police Lieutenant was reprimanded at a departmental trial, before the criminal cases was even dismissed. I believe that the MTA is not complying with the FOIL request as a blatant violation of my 7th Amendment Rights. I sincerely believe they, the MTA, and their attorneys know this is a far from frivolous suit, and they do not want to play fair. I ask the court to assist me in this matter in the way of extension of my upcoming deadline. I also ask that the Court orders the defendants to produce such arrest report. As of today, Wednesday October 6th, at 9:18 AM, in a conversation that lasted 49 seconds, Operator 1031 of the MTA PD, informed me that all Foil requests are delayed due to Covid. I understand the modernly unprecedented challenges this pandemic has laid upon all of us. Yet I genuinely believe, the MTA and their attorneys, to be abusing these times as a way to stall me receiving that report. I believe this because we are approaching two months since I made my foil request. I humbly ask the court for this extension and court order to produce this report.

Sincerely,



Christian Paul Enzo Klein

10-6-2021

RECEIVED
SMYTHSON OFFICE
2021 OCT -6 PM 12:30



Christian Klein <cpklein25@gmail.com>

Arrest on August 22, 2018 [Incident: 210818-000087]

1 message

MTA FOIL <foil@custhelp.com>
Reply-To: MTA FOIL <foil@custhelp.com>
To: cpklein25@gmail.com

Wed, Aug 18, 2021 at 8:10 AM



Your FOIL request has been received.

As part of the ongoing response to the COVID-19 pandemic, some or all agency employees may be working off-site. As such, there may be delays in response to FOIL requests. If a record responsive to a request is only available in hard-copy format, that record's availability will be limited until further notice. Thank you for your patience during this extraordinary time.

To access your question from our support site, [click here](#)

Subject**Arrest on August 22, 2018****Question Reference # 210818-000087**

Date Created: 08/18/2021 08:10 AM

Date Last Updated: 08/18/2021 08:10 AM

Status: FOIL Received



Christian Klein <cpklein25@gmail.com>

Arrest on August 22, 2018 [Incident: 210818-000087]

1 message

MTA FOIL <foil@custhelp.com>
Reply-To: MTA FOIL <foil@custhelp.com>
To: cpklein25@gmail.com

Thu, Aug 26, 2021 at 12:52 AM

**Subject****Arrest on August 22, 2018****Response By Email (RR) (08/26/2021 12:52 AM)**

This email shall acknowledge receipt of your Freedom of Information Law ("FOIL") request, directed to the MTA.

After a diligent review, please be advised that your request is being referred directly to the to the MTA Police Department for further processing. Please contact the MTA Police at 212-878-1001 with any additional questions regarding this request.

This completes the MTA's response to your FOIL request.

MTA FOIL Unit

Customer By CSS Web (Christian Klein) (08/18/2021 08:10 AM)**The actual arrest report.****Question Reference # 210818-000087**

Date Created: 08/18/2021 08:10 AM

Date Last Updated: 08/26/2021 12:52 AM

Status: FOIL Completed